

STATE OF TEXAS {}
COUNTY OF BURNET {}
CITY OF BURNET {}

On this the 10th day of September, 2013, the City Council of the City of Burnet convened in Regular Session, at 6:30 p.m., at the regular meeting place thereof with the following members present, to-wit:

Mayor Gary Wideman
Council Members Paul Shell, Philip Thurman, Ken Graham, Derek Fortin, Milton Phair, Mary Jane Shanes
City Manager David Vaughn
City Secretary Kelly Dix

Guests: Crista Bromley, Paul Nelson, Doug Fipps, James Walker, Joyce Laudenschlager, Gene Courtney, Mark Ingram, John Goble, Patricia Langford, Connie Maxwell, Carrie Wilson, Tina Kersten, Kristen Hickerson, Max Cardenas, Amber Cardenas, Marjorie Wilkes, Kim Wilson, Guy Lopez, Adrienne Field, Jennifer Russell, Nanaj Ramirez, George Banks, Derick Escamilla, Deborah Kelley, Mike Kelley, Jeff Beyer, P. Marcus Kelley, Betty Kelley, Jason Whitworth, Trakker Whitworth, Val Calhoun, Shelley Roesler, Kara Starkey, Sarah Hunt, Gloria Flores, Don Lightfoot, Tommy Gaut, Mary Jane Avery, Trace Catlin, Jamie McAfee, Bobbie Maxwell, Melissa Christian, Lisa Castillo Atkinson, Dorothy James, Petra Munoz, Cam Oer, Bettyelane Kosarek, Natalie Lyle, Crystal Hardin, Charles E. Harper, Melissa Dancik,

CALL TO ORDER: The meeting was called to order by Mayor Gary Wideman, at 6:30 p.m.

INVOCATION: Council Member Kenneth Graham

PLEDGE OF ALLEGIANCE: Council Member Mary Jane Shanes

PUBLIC RECOGNITION/SPECIAL REPORTS: None.

CONSENT AGENDA ITEMS:

(All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member, staff member or citizen requests removal of the item from the consent agenda for the purpose of discussion. For removal of an item, a request must be made to the Council when the Consent Agenda is opened for Council Action.)

Approval of the August 27th, 2013 Regular Council Meeting Minutes.

Council Member Paul Shell made a motion to approve the consent agenda as presented. Council Member Philip Thurman seconded, the motion carried unanimously.

PUBLIC HEARING:

Second Public Hearing: Public Hearing on a proposal to increase total tax revenues from properties on the tax roll in the preceding tax year by 1.097305 percent (percentage by which proposed tax rate exceeds lower of rollback tax rate or effective tax calculated under Chapter 26, Tax Code). Your individual taxes may increase at a greater or lesser rate, or even decrease, depending on the change in the taxable value of your property in relation to the change in taxable value of all other property and the tax rate that is adopted. Mayor Gary Wideman opened the public hearing and presented the item to the audience for comment. There being no comments, Mayor Wideman closed the public hearing.

Public Hearing: Request to rezone 404 East Marble from "R-1" Single Family Residential to "C-2" Medium Commercial: J. Goble: Mayor Gary Wideman opened the public hearing and presented the item to the audience for comment. City Manager David Vaughn briefed Council on the current status of the item as advised by the City Attorney. The City Attorney has recommended that an amendment to the land use ordinance should be executed prior to the

approval of the Planning and Zoning Committee's recommendation for rezoning this property. The City Manager requested the Council to conduct the Public Hearing as scheduled and give the citizens an opportunity to speak and to pass on the ordinance at this time. City Staff will make the recommended changes for presentation at the September 24th Regular Council Meeting. Jamie McAfee stated her opposition to the zoning change and voiced her concerns about additional traffic and noise, and stated she would like clarification on the positioning of fences, parking, and sidewalks. George Banks spoke in favor of the rezone based on the decrease in teenage vandalism in the area and in support of the benefit Mad Dog Fitness provides to the community. Bobby Maxwell spoke against the rezone due to concerns for effect the fitness center has on the residential community and rudeness shown to neighbors by participants. Marcus Kelly, part owner of the fitness center spoke in favor and stated that the building had been his families tire shop/garage for the better part of fifty five years and feels that being zoned commercial is appropriate given that history. Amber Cardenas spoke in favor of the rezone as it provides healthy alternatives to many of the citizens. Sonny Wilson spoke in favor of the rezone and stated a combined effort to alleviate issues and be a good neighbor. Betty Kelly spoke in favor of the rezone as the building has been operated as a commercial building with residential zoning for many years and stated her support for Mad Dog Fitness as an asset to the community. There being no other comments, Mayor Wideman closed the public hearing.

Public Hearing: Request to rezone 305 South Pierce from "R-1" Single Family Residential to "C-1" Light Commercial: J. Goble: Mayor Gary Wideman opened the public hearing and presented the item to the audience for comment. There being no comments, Mayor Wideman closed the public hearing.

Public Hearing: Request to rezone 216 South Main from "C-1" Light Commercial to "C-2" Medium Commercial: J. Goble: Mayor Gary Wideman opened the public hearing and presented the item to the audience for comment. Trace Catlin, owner of Texas Tea Licious stated his support for the rezone which will allow him to better serve his customers. There being no comments, Mayor Wideman closed the public hearing.

ACTION ITEMS:

Discuss and consider action: Approval of TxDot Aviation Routine Airport Maintenance Program (RAMP) grant, and designation of authorized representative: C. Bromley: Council Member Milton Phair made a motion to approve the TxDot Aviation Routine Airport Maintenance Program (RAMP) Grant as presented and authorized Crista Bromley as the designated representative. Council Member Paul Shell seconded, the motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS LEVYING AD VALOREM TAXES FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND TERMINATING SEPTEMBER 30, 2014; PROVIDING FOR APPORTIONING EACH LEVY FOR SPECIFIC PURPOSES; AND PROVIDING WHEN TAXES SHALL BECOME DUE AND WHEN SAME SHALL BECOME DELINQUENT IF NOT PAID; PROVIDING OPEN MEETINGS CLAUSES AND PROVIDING FOR AN EFFECTIVE DATE: D. Vaughn: Council Member Kenneth Graham made a motion to approve the first reading of the ordinance as presented. Council Member Paul Shell seconded, the motion carried unanimously.

Discuss and consider action: Authorize the release of bids for the Sherrard Street Water Replacement Project: D. Vaughn: Council Member Kenneth Graham made a motion to authorize the release of bids for the Sherrard Street Water Replacement Project after January 1,

2014. Council Member Milton Phair, seconded the motion carried unanimously.

Discuss and consider action: Approval of an Interlocal agreement between the City of Burnet and Burnet County for participation in the Special Operations Unit, with an effective date of October 1, 2013: P. Nelson: Council Member Milton Phair made a motion to approve the interlocal agreement between the City of Burnet and Burnet County for participation in the Special Operations Unit with an effective date of October 1, 2013. Council Member Mary Jane Shanes seconded, the motion carried unanimously.

Discuss and consider action: Approve the renewal of the 2013/2014 contract with the Hill Country Humane Society/SPCA, Christ-Yoder Animal Shelter/Adoption Center and authorize Chief Paul Nelson to execute the contract: P. Nelson: Council Member Kenneth Graham made a motion to approve the renewal of the 2013/2014 contract with the Hill Country Humane Society/SPCA, Christ Yoder Animal Shelter/Adoption Center and authorize Chief Paul Nelson to execute the contract. Council Member Paul Shell seconded, the motion carried unanimously.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING THE ZONING ORDINANCE, #2012-06, REZONING PROPERTY FROM "R-1" SINGLE FAMILY RESIDENTIAL TO "C-2" MEDIUM COMMERCIAL; AND PROVIDING FOR RELATED MATTERS: J. Goble: Pass.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING THE ZONING ORDINANCE, #2012-06, REZONING PROPERTY FROM "R-1" SINGLE FAMILY RESIDENTIAL TO "C-1" LIGHT COMMERCIAL; AND PROVIDING FOR RELATED MATTERS: J. Goble: Council Member Kenneth Graham made a motion to approve the first reading of the ordinance as presented. Council Member Paul Shell seconded. City Secretary, Kelly Dix called a roll vote. Council Members Shell, Thurman, Graham, Phair, Shanes and Mayor Wideman voted in favor, Council Member Fortin voted against. The motion carried with six in favor and one opposed.

Discuss and consider action: FIRST READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING THE ZONING ORDINANCE, #2012-06, REZONING PROPERTY FROM "C-1" Light COMMERCIAL TO "C-2" MEDIUM COMMERCIAL; AND PROVIDING FOR RELATED MATTERS: J. Goble: Council Member Derek Fortin made a motion to approve the first reading of the ordinance reflecting an amendment to the rezoning from "C-1" Light Commercial to "C-1" Light Commercial with a conditional use permit. Council Member Milton Phair seconded, the motion carried unanimously.

Discuss and consider action: Training Proposal with Strategic Government Resources (SGR) for supervisory training classes: J. Laudenschlager: Council Member Milton Phair made a motion to approve the proposal for training with Strategic Government Resources for supervisory training classes. Council Member Kenneth Graham seconded, the motion carried unanimously.

REPORTS:

Addendum to the City Council Agenda: Department and Committee Reports/Briefings: The City Council may or may not receive a briefing dependent upon activity or change in status regarding the matter. The listing is provided to give notice to the public that a briefing to the Council on any or all subjects may occur.

Fire Department Project Update: M. Ingram: Chief Ingram briefed the Council on the current status of the new fire station facility to include a review of the current timeline and progress. Currently the project is running about two weeks behind. Council was informed about the CAT 5 wiring and additional costs not previously covered in the construction contract. Chief Ingram stated that Teal Construction and the City Building Official are monitoring progress closely.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS: Council Member Phair requested an update on the Delaware Springs projects. Golf Director, Doug Fipps informed Council that the retaining wall on hole number sixteen was completed and looks very nice. The new putting green is nearing completion. The clubhouse men's bathroom is being re-done and will be ADA compliant upon completion. New carpeting was installed in the clubhouse and new tables and chairs are forth coming. Number fourteen green is in the process of being repaired due to tire tracks sustained from unauthorized entry of a vehicle at the back gate of the course. Council Member Philip Thurman requested a project report on all projects over \$25,000.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Philip Thurman at 7:47 p.m., seconded by Council Member Kenneth Graham, the motion carried unanimously.

Gary Wideman, Mayor

ATTEST:

Kelly Dix, City Secretary